

REMARKS

Claims 1-17, 19, 20, and 22-58 were pending in the present Application, wherein Claims 14-17, 20, 22-26, 28, 30-34, and 48-51 are withdrawn. Claim 19 has cancelled, leaving Claims 1-13, 27, 29, 35-47, and 52-58 for further consideration in the present amendment.

The is Response is directed to the following species under consideration: Formula 11 as the host compound wherein R1003 is substituted with a heterocyclic group and R1011 is substituted with an aromatic group with the remaining R groups represented by hydrogen atoms. With regard to the Formula 4-2 compound, the species being considered is when the at least one substituent is an alkyl group.

Reconsideration and allowance of the claims are respectfully requested in view of the following remarks.

Claim Rejection under 35 USC 112

Claim 19 stands rejected under 353 USC 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In particular, the Office Action notes that Claim 19 depends from cancelled claim 18.

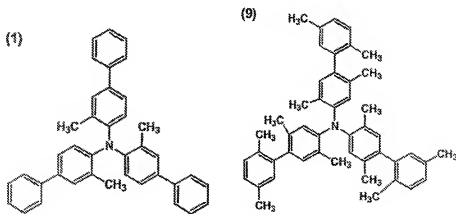
The rejection has been rendered moot by the cancellation thereof.

Claim Rejections Under 35 U.S.C. § 103(a)

A. Claims 1-13, 27, 29, 35-47, 52-55, 57 and 58 stand rejected under 35 U.S.C. § 103(a), as allegedly unpatentable over Mishima in view of Thoms and Oshiyama. Applicants respectfully traverse this rejection.

For an obviousness rejection to be proper, the Examiner must meet the burden of establishing a *prima facie* case of obviousness, i.e., that all elements of the invention are disclosed in the prior art. *In re Fine*, 5 U.S.P.Q.2d 1596, 1598 (Fed. Cir. 1988); *In re Wilson*, 165 U.S.P.Q. 494, 496 (C.C.P.A. 1970); *Amgen v. Chugai Pharmaceuticals Co.*, 927 U.S.P.Q.2d, 1016, 1023 (Fed. Cir. 1996).

In making the rejection, the Office Action comments that Oshiyama teaches electroluminescent elements comprising aromatic tertiary amine compounds such as the following species:



The Office Action further comments that it would have been obvious to one of ordinary skill in the art to have selected the carbazole derivative according to Thoms for the host compound and the aromatic tertiary amine compound taught by Oshiyama for the tertiary aromatic amine compounds, because Mishima generally teaches that such compounds are suitable for the Mishima device as a host and hole injecting/transporting compounds, respectively. Applicants respectfully disagree with this conclusion for at least the following reason.

Oshiyama's aromatic tertiary amine compound such as formula (1) or (9) as reproduced above falls outside the scope of formula 4-1 or 4-2 as claimed by Applicants. Applicants' claimed triaryl amines are directed to compounds where the groups on the benzene ring at the positions ortho relative to nitrogen (N) are all hydrogens. In contrast, Oshiyama's triaryl amine compounds include a methyl group at the ortho position. Moreover, each example provided in Oshiyama discloses the use of triaryl amines that clearly fall outside the scope of Applicants' claimed triaryl compounds defined by formulas 4-1 and 4-2. Thus, Oshiyama fails to disclose or suggest the triaryl amine compounds as set forth by formulas 4-1 and 4-2.

In view of the foregoing, a prima facie case of obviousness has not been established since the combination of references fails to teach or suggest the triaryl amine compounds set forth in Applicants' claims. Thus, it would not have been obvious to one of ordinary skill in the art to attain the subject matter of instant claim 1 in view of the combination of references cited.

It is believed that the foregoing amendments and remarks fully comply with the Office Action and that the claims herein should now be allowable to Applicants. Accordingly, reconsideration and allowance are requested.

If there are any additional charges with respect to this Amendment or otherwise, please charge them to Deposit Account No. 06-1130.

Respectfully submitted,

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